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NEW DELHI, 20, JULY, 1962/ASADHA 29, 1884

### MINISTRY OF LAW (Legislative Department)

*New Delhi, the 20th July, 1962, Asadha 29, 1884 (Saka)*

## THE LAND ACQUISITION (AMENDMENT) ORDINANCE, 1962

No. 3 OF 1962

Promulgated by the President in the Thirteenth Year of the Republic of India.

An Ordinance further to amend the Land Acquisition Act, 1894, and to validate certain acquisitions under that Act.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Land Acquisition (Amendment) Ordinance, 1962. Short title and commencement.
- (2) It shall come into force at once.
2. During the period of operation of this Ordinance, the Land Acquisition Act, 1894 (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 and 4. Act of 1894 to be temporarily amended.
3. In sub-section (1) of section 40 of the principal Act, after clause (a), the following clause shall be inserted, namely:— Amendment of section 40.  
“(aa) that such acquisition is needed for the construction of some building or work for a Company engaged or to be engaged

in an industry which is essential to the life of the community or is likely to promote the economic development of the country; or”.

**Amendment  
of section 41.**

4. In section 41 of the principal Act,—

(a) for the words “the purpose of the proposed acquisition is to obtain land for the erection of dwelling houses for workmen employed by the Company or for the provision of amenities directly connected therewith, or that the proposed acquisition is needed for the construction of a work, and that such work is likely to prove useful to the public”, the words, brackets, letters and figures “the proposed acquisition is for any of the purposes referred to in clause (a) or clause (aa) or clause (b) of sub-section (1) of section 40” shall be substituted;

(b) in clause (4), the word “and” occurring at the end shall be omitted, and after that clause, the following clause shall be inserted, namely:—

“(4A) where the acquisition is for the construction of any building or work for a Company engaged or to be engaged in an industry which is essential to the life of the community or is likely to promote the economic development of the country, the time within which, and the conditions on which, the building or work shall be constructed or executed; and”.

**Validation of  
certain acqui-  
sitions.**

5. Notwithstanding any judgment, decree or order of any court, every acquisition of land for a Company made or purporting to have been made under Part VII of the principal Act before the commencement of this Ordinance shall, in so far as such acquisition is not for any of the purposes mentioned in clause (a) or clause (b) of sub-section (1) of section 40 of the principal Act, be deemed to have been made for the purpose mentioned in clause (aa) of the said sub-section, and accordingly every such acquisition and any proceeding, order, agreement or action in connection with such acquisition shall be, and shall be deemed always to have been, as valid as if the provisions of sections 40 and 41 of the principal Act, as amended by this Ordinance, were in force at all material times when such acquisition was made or proceeding was held or order was made or agreement was entered into or action was taken.

**S. RADHAKRISHNAN,**

*President*

**R. C. S. SARKAR,**

*Secy. to the Govt. of India*